

NOT INCLUDED IN
BOUND VOLUMES

RMcE
Sherman Oaks, CA

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

DYNAMIC NURSING SERVICES, INC.

and

Case 31–CA–193325

SANTOS TENA

ORDER APPROVING STIPULATION, GRANTING MOTION, AND TRANSFERRING
PROCEEDING TO THE BOARD

This matter comes before the National Labor Relations Board upon the joint motion of Respondent Dynamic Nursing Services, Inc., Charging Party Santos Tena, and the General Counsel to waive a hearing and decision by an administrative law judge and to transfer the proceeding to the Board for a decision based on the stipulated record.

On September 29, 2017, the General Counsel, through the Acting Regional Director for Region 31, issued a complaint and notice of hearing alleging that since about December 21, 2013, and at all material times, the Respondent has maintained an Alternative Dispute Resolution Agreement that precludes employees from, or restricts them in, filing unfair labor practice charges with the Board. The complaint further alleges that, by this conduct, the Respondent has been interfering with, restraining, and coercing employees in the exercise of the rights guaranteed in Section 7 of the Act in violation of Section 8(a)(1) of the Act.

On July 23, 2018, the parties filed a joint motion and stipulation of facts with the Board. Pursuant to Section 102.35(a)(9) of the Board's Rules and Regulations, the parties have waived a hearing before an administrative law judge and agreed to submit

the record in this case directly to the Board for findings of fact, conclusions of law, and a Decision and Order. The parties have requested that the Board set a time for the filing of briefs.

The Board having considered the matter,

IT IS ORDERED that the Joint Motion is granted and the case is transferred to and continued before the Board in Washington, D.C., for the purpose of issuing findings of fact, conclusions of law, and a Decision and Order.

IT IS FURTHER ORDERED that the stipulated record, which consists of the joint motion and stipulation of facts, General Counsel Exhibits 1(a) through 1(t), Respondent Exhibits 2 through 15, and a statement of the issues presented, is approved and made part of the record.

The parties may file initial briefs with the Board in Washington, D.C., on or before August 9, 2019, and answering briefs within 14 days thereafter in accordance with Section 102.35(a)(9) of the Board's Rules and Regulations.

Dated, Washington, D.C., July 19, 2019.

By direction of the Board:

Roxanne L. Rothschild

Executive Secretary